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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

ERIC M. ALBRITTON, Plaintiff, vs. CISCO SYSTEMS, INC., RICHARD FRENKEL, MALLUN YEN, & JOHN NOH, Defendants.	Miscellaneous Action No. CV 5:08-mc-80153-JW (HRL) **DEFENDANTS CISCO SYSTEMS, INC., RICHARD FRENKEL, MALLUN YEN, JOHN NOH & NON-PARTY MARK CHANDLER'S NOTICE OF WITHDRAWAL OF MOTION TO QUASH SUBPOENA AND MOTION FOR PROTECTIVE ORDER** **DATE: OCTOBER 14, 2008** **TIME: 10:00 A.M.** **COURTROOM 2** Hon. Magistrate Judge Howard Lloyd

Dockets.Justia.com

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

On October 9, 2008, Eric M. Albritton ("Albritton") agreed with Cisco Systems, Inc., Richard Frenkel, Mallun Yen, John Noh, and Mark Chandler (collectively, "Movants") to narrow the scope of the subpoena he issued to Non-Party Google, Inc. ("Google"). Pursuant to the parties' agreement, Albritton now seeks only documents in the possession, custody, or control of Google, if any, that show the number of hits or views of the October 17-18, 2007 postings to the Patent Troll Tracker website, www.trolltracker.blogspot.com.

Because of the parties' agreement, Movants hereby withdraw their Motion to Quash and Motion for Protective Order (docket no. 2), which is set for oral hearing on October 14, 2008.

Dated: October 10, 2008

MORGAN, LEWIS & BOCKIUS LLP

By [signature]
Howard Holderness

Attorneys for Movants
CISCO SYSTEMS, INC., RICHARD FRENKEL, MALLUN YEN, JOHN NOH & MARK CHANDLER

Dated: October 10, 2008

JACKSON WALKER L.L.P.

By /s/ Charles L. Babcock
Charles L. Babcock

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Dated: October 10, 2008

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